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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Innovative Design and Building Services, LLC,

Case No. 12 Civ. 05474 (AJN)

Plaintiff,

- against -

Arch Insurance Company.

Defendant.

----- X

**NOTICE OF MOTION OF PLAINTIFF
INNOVATIVE DESIGN AND BUILDING SERVICES, LLC
FOR PARTIAL SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying: (i) Declaration of Steven Scheinkman dated December 11, 2012; (ii) Declaration of George Sitaras, Esquire dated December 14, 2012; (iii) Statement of Material Facts Pursuant to Local Civil Rule 56.1 and all exhibits attached thereto; (iv) Memorandum of Law; and (v) all prior pleadings, Plaintiff Innovative Design and Building Services, LLC ("Plaintiff"), by its undersigned attorneys, will move this Court before the Honorable Alison J. Nathan, U.S.D.J., at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York, Courtroom 23B, on the 11th day of January 2013, at 9:30 a.m., or at such other time as the Court shall determine, for an Order, pursuant to Fed. R. Civ. P. 56, granting partial summary judgment in

favor of Plaintiff and against Defendant Arch Insurance Company as to Defendant's Ninth, Tenth, Eleventh, Fifteenth, Sixteenth, Seventeenth, Twentieth and Twenty-First Affirmative Defenses.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1(b), Defendant's opposition to the motion, if any, shall be filed and served on or before December 28, 2012, and any reply papers in further support of the motion shall be filed and served on or before January 4, 2013.

Sitaras & Associates, P.C.
Attorneys for Plaintiff Innovative Design
And Building Services, LLC

By: _____


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Dated: December 14, 2012